Honolulu, Hawaii

MAR 2 0 2023

RE: H.B. No. 823 H.D. 2

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir.

Your Committee on Public Safety and Intergovernmental and Military Affairs, to which was referred H.B. No. 823, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO DEATHS WITHIN THE CORRECTIONAL SYSTEM, "

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Expand the scope of inmate and corrections employee deaths that are reported and require the reports of deaths to be published on the Department of Corrections and Rehabilitation's website; and
- (2) Clarify the information to be included in the reports after the official cause of death is determined and mandate public access to certain information within those reports.

Your Committee received testimony in support of this measure from the Hawaii Correctional System Oversight Commission, Civil Beat Law Center for the Public Interest, Opportunity Youth Action Hawai'i, Community Alliance on Prisons, and six individuals. Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that Arizona, California, and Nevada require the public reporting of the deaths of incarcerated persons. Your Committee believes that the public should know the identity of people who die while incarcerated. This measure will promote governmental transparency by codifying a process for the public disclosure of deaths of incarcerated individuals.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 823, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Public Safety and Intergovernmental and Military Affairs,

GLENN WAKAIX Chair

The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Public Safety and Intergovernmental and Military Affairs PSM

Bill / Resolution No.:*	Committee Referral:			Date:	
HB823 HD2	PSM, JDC			3/15/23	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)					<u> </u>
ELEFANTE, Brandon J.C. (VC)		V			
FUKUNAGA, Carol					
MCKELVEY, Angus L.K.		✓			
AWA, Brenton					
			<u> </u>		
			+		
TOTAL		4	Φ	Φ	1
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes